32 Geo III
Pub Cap 131

(407)

W.J.

B.S. 800/92 (131)
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AN

ACT

FOR

Enlarging the Term and Powers of Two Acts, of the Thirty-firſt Year of King *George* the Second, and Tenth Year of His preſent Majeſty, ſo far as relates to the Road from *Leeds* to *Wakefield*, in the County of *York*.

WHEREAS an Act of Parliament was made in the Thirty-firſt Year of the Reign of his late Majeſty, for repairing the Road from *Leeds* to *Sheffield*, in the County of *York*; and by the ſaid Act the ſaid Road is divided into Two Diſtricts, the Firſt Diſtrict including ſuch Part of the ſaid Road as lies between *Leeds* and *Wakefield*, and the other including ſuch Part of the Road as lies between *Wakefield* and *Sheffield*; and ſeparate Tolls are authorized to be collected within each Diſtrict, and directed to be applied towards repairing the Road within the Diſtrict only wherein they are collected; and by an Act made in the Tenth Year of the Reign of His preſent Majeſty, the Term of the ſaid Firſt-mentioned Act, ſo far as relates to the ſaid Firſt Preamble.

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District of the ſaid Road, was further continued, and ſeveral Amendments and Alterations were made in the ſaid Act:

And whereas a conſiderable Sum of Money hath been borrowed, and is now due and owing, upon the Credit of the Tolls authorized to be collected upon the Road within the ſaid Firſt Diſtrict, which cannot be paid off, and the ſaid Road made commodious for Travellers, and kept in good Repair, unleſs the Term of the ſaid Acts be enlarged, and the ſaid Tolls increaſed, and ſome other Amendments and Alterations made in the ſaid Acts:

May it therefore pleaſe Your MAJESTY,

That it may be Enacted; And be it Enacted by the KING's Moſt Excellent MAJESTY, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act of the Thirty-firſt Year of the Reign of his late Majeſty, ſo far as relates to the Firſt Diſtrict of the ſaid Road, and alſo the ſaid Act of the Tenth Year of the Reign of His preſent Majeſty, and all the Powers, Authorities, Proviſions, Matters, and Things therein reſpectively contained, and which are now in Force (except ſuch as are hereby varied, altered, or repealed, and alſo except ſuch as relate to Exemptions from Stamp Duties) ſhall remain in Force, and ſhall have Continuance from and after the Expiration of the Term of the ſaid recited Acts, for and during the further Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament, in like Manner, and as fully and effectually in all Reſpects, and to all Intents and Purpoſes, as if the ſame were repeated and re-enacted in the Body of this Act; and that this Act ſhall commence and take place upon the Firſt Day of *May*, One thouſand Seven hundred and Ninety-two, and ſhall remain in Force during the Continuance of the ſaid recited Acts.

Former Acts continued.

And, for the better carrying the Purpoſes of the ſaid former Acts and this Act into Execution within the ſaid Firſt Diſtrict; Be it further Enacted, That the Right honourable *William Henry Vane*, commonly called Lord Viſcount *Barnard*, the Right honourable the Earl of *Mexborough*, in the Kingdom of *Ireland*, the Right honourable Lord Viſcount *Galway*, in the Kingdom of *Ireland*,

Additional Truſtees.

land, Sir *William Lowther*, Sir *William Mardaunt Milner*, Sir *John Sheffield*, Sir *Thomas Pilkington*, Sir *Edward Smith*, Baronets; the Aſſiſtants for the Time being of the Borough of *Leeds*, *Edward Armitage*, *Thomas Arthington* of *Hunſlet*, *Robert Amory*, M. D. *Henry Andrews*, *Charles Brandling*, *Wade Brown*, *John Beckett*, *Richard Ramſden Bramley*, *Nicholas Biſchoff*, *Thomas Biſchoff*, *Bernard Biſchoff*, *John Billam*, M. D. *Robert Bramley*, *James Buck*, *John Brooke*, *Edward Brooke*, *George Beaumont*, *James Brown*, *Charles Brown*, *William Benſon*, *John Binns*, *George Baron*, *George Baron*, Junior, *Samuel Blagbrough*, *James Brooks*, *William Brooke* of *Wakefield*, *William Cookſon*, *John Calverley*, *John Cookſon*, *Charles Clapham*, *John Charnock*, *Thomas Charnock*, *Thomas Calvert*, *Francis Cripps*, Clerk, *Thomas Coupland*, *Richard Clarke*, *William Dawſon*, M. D. *Robert Daviſon*, M. D. *Robert Deniſon* of *Kilnwick Percy*, *Henry Dixon*, *James Donaldſon*, *David Dunderdale*, Junior, *Thomas Dade*, *James Eyre*, *James Fenton* of *Glaſshouſe*, *William Fenton* of *Rothwell Haigh*, *Thomas Fenton*, Junior, of the ſame, *William Faber*, *Richard Fawcett*, Clerk, *Joſeph Fawcett*, *William Fiſher*, *Benjamin Gott*, *Peter Hodden*, Clerk, *Thomas Hainſworth*, *James Hebdin*, *Henry Hall*, *John Hall*, *Benjamin Heywood*, *Thomas Hewitſon*, *John Hill*, *Thomas Ikin*, *Francis Ingram*, *William Ingram*, *Thomas Jaques*, *Benjamin Jowett*, *Benjamin Kennett*, *Thomas Lloyd*, *Richard Lodge*, *George Lapage*, *Samuel Lapage*, *John Lowther*, *William Lee*, *John Lee* of *Leeds*, *John Lee* of *Wakefield*, *James Lucas*, *John Leathley*, *Edward Markland*, *Richard Micklethwaite*, *Edmund Maude*, *Samuel Murgittroyd*, *James Milnes*, Junior, *Richard Slater Milnes*, *John Milnes*, *John Henry Mawe*, *Pym Nevins*, *John Naylor*, *Jeremiah Naylor*, *Samuel Hamer Oates*, *George William Oates*, *Frederick Oates*, *Joſiah Oates*, *Edward D'Oyley*, *James Orde*, Clerk, *George Oxley*, *John Plowes*, *Thomas Peacop*, *Richard Pearſon*, *Richard Paley*, *James Pymont*, *William Pilkington*, *Henry Peterſon*, *Andrew Peterſon*, *John Read*, *Atherton Rawſtorne*, *Richard Rawſtorne*, *George Rayſon*, *David Rimmington*, *James Richardſon*, M. D. *Francis Ridſdale*, *John Rickaby*, *Henry Savile*, *Richard Anthony Markham Saliſbury*, *David Stansfeld*, *Edward Sanderſon*, *John Smyth* of *Heath*, *John Shaw*, *George Shaw*, *Thomas Smyth*, *William Shackleton*, *Henry Smithſon* of *Newton*, *Samuel Smithſon*, *Robert Smithſon* of *Low Laiths*, *Whittel Sheepſhanks*, *William Sheepſhanks*, Clerk, *Joſeph Sheepſhanks*, *William Steer*, *James Steer*, *William Thompſon*, *Alexander Turner*, *William Thomas Trant*, *John Thoreſby*, *Thomas Tennant*, *Edward Taylor*, *Chriſtopher Wilſon*, *Walter Wade* of *New Grainge*, *Joſhua Walker*, M. D. *Griffith Wright*, *Thomas Wright*, *William Whitelock*, *Thomas Walker* of *Leeds*, *Thomas Walker* of *Glaſshouſe*, *Robert*

bert Wareing, *Joſeph Wriggleſworth*, *Joſeph Wood*, *Timothy Wilks*, *Edward Wilkinſon*, *Ard Walker*, *John Wombwell*, *John Wormald*, and *Shepley Watſon*, ſhall be, and they are hereby added to and joined with the ſurviving and remaining Truſtees nominated in or elected by virtue of the ſaid former Acts, for putting the ſaid Acts and this Act in Execution, ſo far as relates to the Firſt Diſtrict of the ſaid Road.

Former Tolls to ceaſe, and new Tolls granted.

And be it further Enacted, That the ſeveral Tolls granted and made payable by virtue of the ſaid former Acts, or either of them, within the Firſt Diſtrict of the ſaid Road, ſhall ceaſe, determine, and be no longer paid or payable; and that, inſtead thereof, the following Tolls ſhall be demanded and taken, at any of the Turnpikes erected or to be erected upon or within the Firſt Diſtrict of the ſaid Road, or on the Sides thereof, before any Horſe, Beaſt, or other Cattle, or Coach, Waggon, or any other Carriage, ſhall be permitted to paſs through the ſame; (that is to ſay)

For every Coach, Landau, Berlin, Chariot, Curricle, Calaſh, Chaiſe, or Hearſe, drawn by Six Horſes, or Beaſts of Draught, the Sum of Two Shillings and Six Pence, and drawn by Four Horſes, or Beaſts of Draught, the Sum of One Shilling and Six Pence, and drawn by Two Horſes, or Beaſts of Draught, the Sum of Nine Pence:

And for every Calaſh, Chaiſe, or Chair, drawn by One Horſe, or Beaſt of Draught, the Sum of Four Pence Halfpenny:

And for every Waggon, Wain, Cart, or Carriage, having the Fellies of the Wheels of the Breadth of Six Inches, not laden with Coals, and drawn by Six or more Horſes, or Beaſts of Draught, the Sum of Two Shillings and Eight Pence, and drawn by Five Horſes, or Beaſts of Draught, the Sum of Two Shillings and Four Pence, and drawn by Four Horſes, or Beaſts of Draught, the Sum of Two Shillings, and drawn by Three Horſes, or Beaſts of Draught, the Sum of One Shilling and Six Pence, and drawn by Two Horſes, or Beaſts of Draught, the Sum of Nine Pence, and drawn by One Horſe, or Beaſt of Draught, the Sum of Four Pence Halfpenny:

And for every Waggon, Wain, Cart, or other Carriage, having the Fellies of the Wheels of leſs Breadth than Six Inches, not laden with Coals, and drawn by Four Horſes, or Beaſts of Draught, the Sum of Three Shillings, and drawn by Three Horſes, or Beaſts of Draught, the Sum of Two Shillings and Three Pence, and drawn by Two Horſes, or Beaſts of Draught,

Draught, the Sum of One Shilling and One Penny Halfpenny, and drawn by One Horſe, or Beaſt of Draught, the Sum of Four Pence Halfpenny:

And for every Waggon, Wain, Cart, or other Carriage, having the Fellies of the Wheels of the Breadth of Six Inches, going for or laden with Coals only, for each Time of paſſing and repaſſing through the ſaid Gates, drawn by Five or Six Horſes, or Beaſts of Draught, the Sum of Two Shillings, and drawn by Four Horſes, or Beaſts of Draught, the Sum of One Shilling and Four Pence, and drawn by Three Horſes, or Beaſts of Draught, the Sum of One Shilling, and drawn by Two Horſes, or Beaſts of Draught, the Sum of Six Pence, and drawn by One Horſe, or Beaſt of Draught, the Sum of Two Pence:

And for every Waggon, Wain, Cart, or other Carriage, having the Fellies of the Wheels of leſs Breadth than Six Inches, going for or laden with Coals only, for each Time of paſſing and repaſſing through the ſaid Gates, drawn by Four Horſes, or Beaſts of Draught, the Sum of Two Shillings, and drawn by Three Horſes, or Beaſts of Draught, the Sum of One Shilling and Six Pence, and drawn by Two Horſes, or Beaſts of Draught, the Sum of Nine Pence, and drawn by One Horſe, or Beaſt of Draught, the Sum of Two Pence:

For every Horſe, Mare, Gelding, or other Beaſt of Burthen, laden with Coals, and not drawing, One Penny:

And for every other Horſe, Mare, Gelding, or other Beaſt of Burthen, whether laden or unladen, and not drawing, One Penny Halfpenny:

And for every Drove of Oxen, or Neat Cattle, the Sum of One Shilling and Three Pence *per* Score, and ſo in Proportion for every greater or leſs Number:

And for every Drove of Calves, Sheep, Lambs, or Swine, Ten Pence *per* Score, and ſo in Proportion for a greater or leſs Number.

Which ſaid reſpective Sums of Money, hereby granted and made payable, ſhall and may be demanded and taken in the Name of and as a Toll, within the Firſt Diſtrict of the ſaid Road, by virtue of the ſaid former Acts and this Act, and ſhall be, and the ſame are hereby veſted in the ſaid Truſtees for the Purpoſes of the ſaid former Acts and this Act; and ſhall and may be collected, levied, recovered, and applied in like Manner, and by the like Ways and Means, as the Tolls granted by the ſaid former

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Acts, or either of them, could or might, or were directed to have been collected, levied, recovered, and applied, before the Commencement of this Act.

Tolls not to be increaſed by virtue of the Act of 13 *Geo.* III.

Provided always, That none of the Tolls hereby granted ſhall be increaſed by virtue of an Act of Parliament of the Thirteenth Year of the Reign of His preſent Majeſty, relating to the Turnpike Roads in this Kingdom, any Thing in the ſaid Act to the contrary thereof notwithſtanding.

Tolls to be Security for the preſent Debt.

And be it further Enacted and Declared, That the Tolls hereby granted ſhall be a Security for all Money borrowed and now due upon the Credit of the Tolls granted by the ſaid Acts of the Thirty-firſt Year of his ſaid late Majeſty, and the Tenth Year of His preſent Majeſty, or either of them, and for all Intereſt due and to grow due for the ſame, and ſhall be ſubject and liable to the Payment thereof; and that the ſeveral Aſſignments or Mortgages made for the Security thereof by virtue of the ſaid Acts, or either of them, ſhall be deemed and taken to be Aſſignments or Mortgages of the Tolls granted and made payable by this Act, and ſhall be and continue in full Force and Effect during the Term of the ſaid Acts and this Act, unleſs the Money thereby ſecured, and the Intereſt thereof, ſhall be ſooner paid off and diſcharged.

Diſcontinuing ſome Exemptions for certain Month in every Year.

And whereas it is proper that ſome of the Exemptions allowed by the ſaid Acts ſhould for the future be taken away, during certain Months in every Year; **Be it therefore Enacted**, That it ſhall and may be lawful to and for the ſaid Truſtees for the Firſt Diſtrict of the ſaid Road, or any Seven or more of them, or ſuch Perſon or Perſons as they, or any Seven or more of them, ſhall, by Writing under their Hands, authorize or appoint for that Purpoſe, between the Firſt Day of *November* and the Firſt Day of *April* in every Year, to demand, receive, and take, at all the Turnpikes already erected, or to be erected upon the ſaid Road, for every Waggon, Wain, Cart, or other Carriage, laden with or carrying Dung, Mould, Compoſt, Sand, or any other Manure, of what Nature orKind ſoever, ſuch and the like Tolls as are impoſed by this Act upon any Waggons, Wains, Carts, or other Carriages, laden with Coals only, and drawn by the ſame Number of Horſes, Oxen, or other Beaſts of Draught; any Thing in the ſaid former Acts, or any other Act or Acts of Parliament, to the contrary hereof in anywiſe notwithſtanding.

And whereas ſuch Part of the ſaid Road as leads through the Village of *Long Loſthouſe*, is in ſeveral Places very narrow, and it is neceſſary, for the Accommodation of Travellers, to take down certain Houſes and other Buildings, and to make uſe of Part of certain Yards, Gardens, and Orchards within the ſaid Village, in order to widen the ſaid Road, or to make a new Road on the Weſt Side of the ſaid Village; **Be it therefore further Enacted,** That it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, to purchaſe any Houſes and Buildings, and alſo any Yards, Gardens, or Orchards, ſituate within the ſaid Village, and to take down any ſuch Houſes and other Buildings, and to lay the Scites thereof, and any ſuch Yards, Gardens, and Orchards, which ſhall or may be purchaſed as aforeſaid, or ſuch Parts thereof as they ſhall think neceſſary, into the ſaid Road, ſo as to make the ſame of a proper and convenient Width for the Paſſage of Carriages and Travellers; but no Houſe or other Building, ſhall be taken down or any Yard, Garden, or Orchard, ſhall be made uſe of for the Purpoſe aforeſaid, unleſs the Owner thereof ſhall firſt conſent thereto, by Writing under his Hand and Seal.

Impowering the Truſtees to widen or turn the Road at *Long Loſthouſe*.

Provided always, That in caſe the ſaid Truſtees, or any Seven or more of them, ſhall think it more for the Benefit of the Public to divert and turn the Courſe or Path of the ſaid Road, at or near the ſaid Village of *Long Loſthouſe*, and to make and carry the ſaid Road on the Weſt Side thereof, than to widen the ſaid Road within the ſaid Village as aforeſaid, it ſhall be lawful for them ſo to do, and for that Purpoſe to make and carry a new Road from a Place called *Four Lane Ends*, at the North End of the ſaid Village, through any private Lands on the Weſt Side of the ſaid Village, making Satisfaction to the Owners thereof and Perſons intereſted therein for the Land to be taken or made uſe of for that Purpoſe, and the Damage to be occaſioned thereby; and in caſe the ſaid Truſtees, or any Seven or more of them, and the Owners and Perſons intereſted in the Lands over which the ſaid Road ſhall be made, cannot agree upon the Satisfaction to be made for the Lands to be made uſe of for making the ſaid new Road, ſuch Satisfaction ſhall be aſcertained and ſettled by a Jury, in like Manner as is directed and preſcribed in and by the ſaid recited Act of the Thirty-firſt Year of the Reign of his ſaid late Majeſty, for aſcertaining and ſettling the Satisfaction for Damages ſuſtained, where any Grounds ſhall be made uſe of for the Purpoſe of widening any of the narrow Parts of the ſaid Road, by virtue of the ſaid recited Act, as if the Power of making ſuch new Road as aforeſaid had been expreſsly given

Or to make a new Road at *Long Loſthouſe*.

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to the ſaid Truſtees, or any Seven or more of them, in and by the ſaid recited Act: Provided nevertheleſs, that in making ſuch new Road as aforeſaid, nothing herein contained ſhall authorize the ſaid Truſtees to take down any Houſe or other Building, or to make Uſe of or take any Garden, Orchard, Yard, Park, Planted Walk, or Avenue to any Houſe, unleſs the Owner thereof ſhall firſt conſent thereto, by Writing under his Hand and Seal.

Application of Money belonging to Corporations, &c.

And be it further Enacted, That the Money or Recompence to be paid for any Lands or Hereditaments, which ſhall be taken or uſed for widening the ſaid Road, or for making ſuch new Road as aforeſaid, which ſhall belong to any Corporation, Femes Covert, Infants, Lunatics, or Perſons under any other Diſability or Incapacity, ſhall be paid to ſuch Perſon or Perſons as ſuch Corporation, or the Huſbands, Feoffees, Guardians, Truſtees, or Committees of ſuch Femes Covert, Infants, Lunatics, or Perſons under any other Diſability or Incapacity, ſhall reſpectively nominate and appoint to receive the ſame, in Truſt, with all convenient Speed, to be reinveſted in the Purchaſe of other Lands or Hereditaments, and the ſame ſhall be conveyed and ſettled upon and ſubject to the like Uſes, Truſts, and Limitations, as the Lands or Hereditaments belonging to ſuch Corporation, or other Perſons as aforeſaid, which ſhall be taken or uſed for the Purpoſes of this Act, were ſettled, limited, or aſſured.

For leaſing the Tolls.

And whereas the Tolls payable by virtue of the ſaid Acts upon the ſaid Firſt Diſtrict of Road are now let upon Leaſe: **And whereas** the ſaid Truſtees may judge it more advantageous to grant the preſent Leſſee of ſuch Tolls a Leaſe of the additional Tolls made payable by this Act, without purſuing the Method preſcribed by the ſaid Act of the Thirteenth Year of the Reign of His preſent Majeſty (relating to the Turnpike Roads in this Kingdom) with reſpect to the letting of Tolls: **Be it therefore further Enacted**, That it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, and they are hereby authorized and impowered to grant a Leaſe of the ſaid additional Tolls to the Leſſee of the former Tolls, during the Remainder of the Term of his ſaid preſent Leaſe, at ſuch Rent as the ſaid Truſtees, or any Seven or more of them, ſhall think proper, without purſuing the Method preſcribed by the ſaid Act of the Thirteenth Year of the Reign of His preſent Majeſty as aforeſaid, any Thing in the ſame Act to the contrary hereof notwithſtanding.

And be it further Enacted, That all the Charges and Expences incident to and attending the obtaining and paſſing of this Act, ſhall be paid out of any Money collected or received or to be collected or received by virtue of the ſaid recited Acts and this Act, within the ſaid Firſt Diſtrict: And that this Act ſhall be adjudged, deemed, and taken to be a Public Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

Expences of the Act.

Public Act.

AN

ACT

FOR

Enlarging the Term and Powers of Two Acts, of the Thirty-first Year of King *George* the Second, and Tenth Year of His present Majesty, so far as relates to the Road from *Leeds* to *Wakefield*, in the County of *York*.

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32 *Geo.* III.
1792.

(1431